

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DENNIS NELSON,

Plaintiff,

9:06-CV-1146  
(NAM)(DRH)

-v.-

MR. SCOGGY, Counselor; MS. L. GILLIS, Dept.  
of BHU; MS. FRAISHER, Doctor; R. QUINN, C.O.,

Defendants.

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APPEARANCES:

DENNIS NELSON

94-B-0694

Plaintiff, *pro se*

Great Meadow Correctional Facility

Box 51

Comstock, NY 12821

**NORMAN A. MORDUE, Chief U.S. District Judge**

**DECISION and ORDER**

Presently before the Court is an amended complaint filed by plaintiff Dennis Nelson.<sup>1</sup> Dkt. No. 5. This amended complaint was submitted by Nelson in compliance with the Order issued by this Court on November 15, 2006 ("November Order"). Dkt. No. 4. Since the amended complaint substantially cures the defects that existed in the prior complaint, the Court accepts it for filing.

WHEREFORE, it is hereby

ORDERED, that the Clerk shall issue summonses naming the defendants and forward them, along with copies of the amended complaint, to the United States Marshal for service upon the named defendants, along with a copy of this Order.<sup>2</sup> The Clerk shall also forward a copy of the summons and amended complaint by mail to the Office of the Attorney General for the State of New York, together

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<sup>1</sup> Nelson is an experienced litigator, having filed twenty-one other actions in this District since 1999.

<sup>2</sup> Plaintiff was granted leave to proceed with this action *in forma pauperis*. Dkt. No. 4.

with a copy of this Order, and it is further

ORDERED, that a formal response to plaintiff's amended complaint be filed by the defendants or their counsel as provided for in the Federal Rules of Civil Procedure after service of process on defendants, and it is further

ORDERED, that all pleadings, motions, and other documents relating to this action must bear the case number assigned to this action and be filed with the Clerk of the United States District Court, Northern District of New York, 7<sup>th</sup> Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367. **Any paper sent by a party to the Court or the Clerk must be accompanied by a certificate showing that a true and correct copy of it was mailed to all opposing parties or their counsel. Any document received by the Clerk or the Court which does not include a proper certificate of service will be returned, without processing.** Plaintiff must comply with requests by the Clerk's Office for any documents that are necessary to maintain this action. All parties must comply with Local Rule 7.1 of the Northern District of New York in filing motions, which must be returnable before the assigned Magistrate Judge with proper allowance for notice as required by the Rules. **Plaintiff is also required to promptly notify the Clerk's Office and all parties or their counsel of any change in his address; his failure to do so will result in the dismissal of this action.** All motions will be decided on submitted papers without oral argument unless otherwise ordered by the Court, and it is further

ORDERED, that the Clerk serve a copy of this Order on the plaintiff by regular mail.

IT IS SO ORDERED.

DATE: December 18, 2006

  
Norman A. Mordue  
Chief United States District Court Judge